IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 1172 OF 1986

PRABHAT SINGH JUJARSINGH JADEJA ... PLAINTIFF.

VS.

M/S.DEEPAK KUMAR & CO. AND ANR. ... DEFENDANTS.

ALONGWITH

SUIT NO. 1598 OF 1986

M/S. DEEPAK KUMAR & CO. ... PLAINTIFFS.

VS.

M/S. WESTERN INDIA GUM INDUSTRIES AND ORS. ... DEFENDANTS.

MS. SMURUTI KHARADE FOR THE PLAINTIFF IN SUIT NO. 1172 OF 1986 AND DEFENDANT NO. SUIT NO. 1598 OF 1986.

MS. MADHU HIRASKAR FOR THE PLAINTIFF IN SUIT NO. 1598/96 AND FOR DEFENDANT IN SUIT NO.1172 OF 1986

Coram : S.K.Shah, J.
Date : September 21, 2006.

P.C.

1. The learned Counsel for the Plaintiff states that she has no instruction from her client. The learned Counsel for the defendants has, however, stated that the defendant has also filed Counter Suit No. 1598 of 1986 and further submits that both these suits are between the same parties. Under the circumstances, this Suit being Suit No. 1172 of 1986 stands dismissed for default. No Order as to costs.

2. Suit No. 1598 of 1986 is not on board today. It be taken on board. The learned Counsel for the defendants states that they are the Plaintiffs in Suit No.1598 of 1986 and seeks permission to withdraw this Suit. The Suit is allowed to be withdrawn and dismissed as withdrawn. No Orders as to costs. Court fee be refunded as per rule.

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[S.K.Shah , J.]